

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1782
Examiner : Erik Kashnikow
Serial No. : 10/587,249
Filed : July 26, 2006
Inventors : Tomoharu Nishioka
 : Koji Nakamura
 : Tsuyoshi Iwasa
 : Atsushi Funaki
 : Eiichi Nishi
 : Koichi Uchida
 : Tsugunori Kashimura
 : Takashi Yamashita
 : Yuji Munesawa
Title : MULTILAYER TUBE

Customer No.: 035811
Docket No.: SPL-06-1211
Confirmation No.: 9642

Date: May 6, 2011

RESPONSE

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is submitted in response to the Official Action dated January 21, 2011.

Claims 12, 13, 17, 19, 21-23, 27-29, 31 and 33-35 stand rejected under 35 USC §103 over the combination of Nishi JP with Nishi. The Applicants note with appreciation the Examiner's detailed comments hypothetically applying the combination against those claims. The Applicants nonetheless respectfully submit that the combination fails to disclose, teach or suggest the subject matter of those claims. In that regard, the Applicants will refer to several portions of the rejection for direct comment.

The rejection on page 2 of the Official Action states that Nishi in Claims 1 and 2, and columns 5 and 6 teaches polyamide resins including terephthalic acid and 1,9-nonane-diamine. However, Nishi clearly states in Claim 1 that the polyamide resin is polyamide 12(a). Nishi only states in column 6, lines 36-42, that the polyamide 12(a) can be obtained by using 12-aminododecanoic acid and/or dodecane lactam as the main component and incorporating a polyfunctional monomer such as a diamine, a triamine, a dicarboxylic acid or a tricarboxylic acid thereto to improve the adhesive property, followed by polymerization.